

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 4157 of 2004

Between:

- 1 A.Vijaya Babu, S/o Ramaiah,
R/o Domalapenta, Mahabubnagar District.
- 2 D.Srinivasulu, S/o Koteswar Rao,
R/o Domalapenta, Mahabubnagar District.
- 3 K.Mallikarjuna Reddy, S/o Venkat Reddy,
R/o Domalapenta, Mahabubnagar District.
- 4 G.Malla Reddy, S/o Alluru Reddy,
R/o Domalapenta, Mahabubnagar District.
- 5 V.Ramana Reddy, S/o Kasi Reddy,
R/o Domalapenta, Mahabubnagar District.
- 6 T.Ravi Kanth Reddy, S/o Lakshmi Reddy,
R/o Domalapenta, Mahabubnagar District.
- 7 G.Satyanarayana Reddy, S/o Ranga Reddy,
R/o Domalapenta, Mahabubnagar District.
- 8 D.Venkateshwara Reddy, S/o Koti Reddy,
R/o Domalapenta, Mahabubnagar District.
- 9 S.Prabhakar, S/o Sumbanna,
R/o Domalapenta, Mahabubnagar District.
- 10 S.Mallikarjuna, S/o Sumbanno,
R/o Domalapenta, Mahabubnagar District.
- 11 Ch.Subba Reddy, S/o Kona Reddy,
R/o Domalapenta, Mahabubnagar District.
- 12 G.Paramdhamulu, S/o Narayana,
R/o Domalapenta, Mahabubnagar District.
- 13 P.Pedda Kasi Rao, S/o Kasaiah,
R/o Domalapenta, Mahabubnagar District.
- 14 Venkat Reddy K, S/o Subba Reddy,
R/o Domalapenta, Mahabubnagar District.

..... PETITIONERS

AND

- 1 The Superintending Engineer, A.P.GENCO, Srisaillam Dam West,
Mahabubnagar District.
- 2 The Senior Accounts Officer, SLBHES, Srisaillam Dam West,
Mahabubnagar District.
- 3 The Patel Engineering Co.Ltd. rep.by its Chief Vice-President,
Sri B.S.Reddy, Akash Ganga Building, 4th Floor, Khairatabad,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records from the respondents and issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, by directing the 1st and 2nd respondents to withhold an amount of Rs.21,44,658-20 ps to be paid to the 3rd respondent from the final bills in view of completion of execution of contract work of construction of the Hydro Electric Project for generation of 900 MW power at Srisaillam Dam (West) of the Left Bank.

Counsel for the Petitioner :MR.P.SRIDHAR RAO

Counsel for the Respondent : SMT.K.SESHARAJYAM

The Court made the following :

ORDER:

This writ petition is filed seeking direction to the respondents-1 and 2 to withhold amount of Rs.21,44,658.20 ps. to be paid to the third respondent from the final bills, in view of completion of execution of contract work of construction of Hydro Electric Project for generation of 900 MW power at Sraisailam Dam (West) of the left Bank.

2. Pending disposal of the writ petition, interim order was issued to the respondents-1 and 2 to withhold the amounts, if any, payable to the third respondent, to the extent of Rs.22,00,000/- (Rupees Twenty two lakhs only). Thereafter, the third respondent filed counter affidavit and a Vacate stay petition. In the meanwhile, the writ petitioners filed W.P.M.P. No.14063 of 2004 to close the writ petition as they have filed M.P.Nos.51 to 64 of 2003 under Section 33 (C) of the Industrial Disputes Act against the third respondent and in those M.Ps the matter has been amicably settled out of the Court.

3. Having regard to the facts and circumstances of the case and in view of the amicable settlement of subject matter out of this Court, the Writ Petition is dismissed. No order as to costs.

V. ESWARAIAH, J.

Date : JULY 22, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Superintending Engineer, A.P.GENCO, Srisaillam Dam West,
Mahabubnagar District.
- 2 The Senior Accounts Officer, SLBHES, Srisaillam Dam West,
Mahabubnagar District.
- 3 Sri B.S.Reddy, Chief Vice-President, The Patel Engineering Co.Ltd.,
Akash Ganga Building, 4th Floor, Khairatabad, Hyderabad.
- 4 Two CD copies.